

PATENT

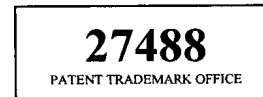
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Alex J. Simmons	Examiner:	Sarvesh J. Nadkarni
Serial No.:	10/804,616	Group Art Unit:	2629
Filed:	March 19, 2004	Docket No.:	60001.0302US01
Title:	AUTOMATIC HEIGHT ADJUSTMENT FOR ELECTRONIC HIGHLIGHTER PENS AND MOUSING DEVICES		

ELECTRONICALLY FILED ON NOVEMBER 3, 2008

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(c))

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450



Dear Sir:

With regard to the above-identified application, the item of information listed on the enclosed Form 1449 is brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing of a first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. § 1.114 or a CPA under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

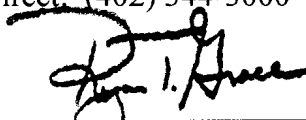
A copy of the "Other Document" listed on the Form 1449 is enclosed in accordance with 37 C.F.R. §1.98(a)(2).

No representation is made that the reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and applicant reserves the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference is not "prior art." Moreover, applicant does not represent that the reference has been thoroughly reviewed or that any relevance of any portion of the reference is intended.

Consideration of the item listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
Direct: (402) 344-3000

A handwritten signature in black ink, appearing to read "Ryan T. Grace". The signature is written in a cursive style with a large, stylized initial "R".

Ryan T. Grace
Reg. No. 52,956